

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27 (c)) – SMALL BUSINESS CONCERN**

|            |                    |            |                     |
|------------|--------------------|------------|---------------------|
| Serial No. | Filing Date        | Patent No. | Attorney Docket No. |
|            | September 21, 2000 |            | JSF 35.0011         |

Applicant/  
Patentee: **PrivaSys, Inc.**

Invention: **METHOD FOR STORING DATA IN PAYMENT CARD TRANSACTION**

I hereby declare that I am:

- the owner of the small business concern identified below:
- an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: **PrivaSys, Inc.**

ADDRESS OF CONCERN: **40 First Street, Suite 300, San Francisco, CA 94105**

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or third party or parties controls or has the power to control both.

I hereby declare rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:

- the specification filed herewith title as listed above.
- the application identified above.
- the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- no such person, concern or organization exists.
- each such person, concern or organization is listed below.

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

Individual       Small Business Concern       Nonprofit Organization

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

Individual       Small Business Concern       Nonprofit Organization

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

Individual       Small Business Concern       Nonprofit Organization

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

Individual       Small Business Concern       Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

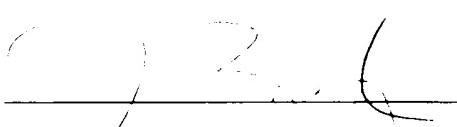
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Joan Ziegler

TITLE OF PERSON SIGNING  
OTHER THAN OWNER: CEO

ADDRESS OF PERSON SIGNING: 40 First Street, Suite 300, San Francisco, CA 94105

SIGNATURE:  DATE: September 20, 2000

G:\FIRM\PERSONAL\RLA\VRFYENTY

## **Declaration For Patent Application English Language Declaration**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHOD FOR STORING DATA IN PAYMENT CARD TRANSACTION.**

the specification of which is attached hereto and is being filed on September 21, 2000.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed  
None

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:      None

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the matter provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

|   |   |   |
|---|---|---|
| <u>Attorney Docket No. JSF 35.003</u><br>(Application Serial No.) | <u>September 8, 2000</u><br>(Filing Date) | Pending<br>(Status)<br>(patented, pending, abandoned) |
| <u>09/640044</u><br>(Application Serial No.)                      | <u>August 15, 2000</u><br>(Filing Date)   | Pending<br>(Status)<br>(patented, pending, abandoned) |
| <u>09/619859</u><br>(Application Serial No.)                      | <u>July 20, 2000</u><br>(Filing Date)     | Pending<br>(Status)<br>(patented, pending, abandoned) |
| <u>09/571,707</u><br>(Application Serial No.)                     | <u>May 15, 2000</u><br>(Filing Date)      | Pending<br>(Status)<br>(patented, pending, abandoned) |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole first inventor

Jacob Y. Wong

Third inventor's signature

Date

Residence



9/20/00

7110 Georgetown Rd., Goleta, CA 93117

Citizenship

U.S. Citizen

Post Office Address

7110 Georgetown Rd., Goleta, CA 93117

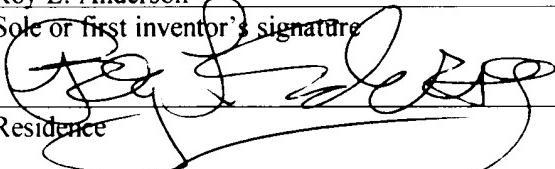
Full name of second inventor, if any

Roy L. Anderson

Sole or first inventor's signature

Date

Residence



9/21/00

1433 Dwight Drive , Glendale, CA 91207

Citizenship

U.S. Citizen

Post Office Address

1433 Dwight Drive , Glendale, CA 91207

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**POWER OF ATTORNEY**

Name of Applicant: **PrivaSys, Inc.**  
Address of Applicant: **40 First St., 300**  
**San Francisco, CA 94105**

Title: **METHOD FOR STORING DATA IN PAYMENT CARD TRANSACTION**

Serial No., if Any:  
Filed: **September 21, 2000**  
Attorney Docket No.: **JSF 35.0011**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS**

The Assistant Commissioner for Patents  
Washington, D.C. 20231

Honorable Sir:  
I hereby appoint:

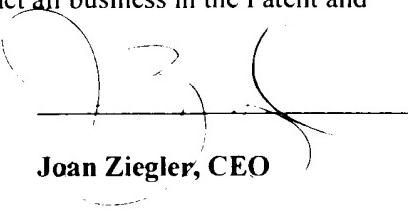
**Roy L. Anderson, Registration No. 30,240**

as principal attorney to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all future correspondence to:

**Roy L. Anderson  
Jeffers, Shaff & Falk, LLP  
18881 Von Karman Ave., Suite 1400  
Irvine, CA 92612**

By:

  
**Joan Ziegler, CEO**